

PATENT

Customer No. 22,852

Attorney Docket No. 08364.0022

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Neil PORTER et al. ) Group Art Unit: Unknown  
)  
Application No.: 09/890,855 ) Examiner: Unknown  
)  
Filed: August 7, 2001 )  
)  
For: APPARATUS FOR PRESERVING )  
MICROORGANISMS )

Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage in an international application.

Copies of the listed documents are attached. Also attached are copies of an International Search Report dated May 31, 2000; a European Patent Office Search Report dated January 13, 2000; and two British Patent Office Search Reports dated April 27, 1999 and October 27, 1999.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

English translations of the non-English documents are enclosed.

LAW OFFICES

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

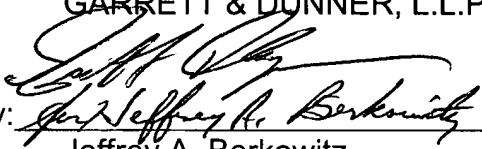
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 31, 2001

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